

Kolkata High Court (Appellete Side)

21565W/2011 on 9 February, 2012

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2.2012 W.P.NO. 21565 (W) OF 2011

Mr. Bikranta Nanda - For the Petitioners.

Mr.Srijib Chakraborty - For the Respondents

The petitioner claimed to have acquired a land measuring .63 acres of land comprised in Dag No. 447, J.L. No. 367, Khatian No. 2788, Mouza: Kumarpur, Post Office: Contai, District: Purba Medinipur, on the strength of the Will made and published by the mother of the petitioner which was duly probated. The petitioner made an application under Section 6 of the Right to Information Act, 2005, seeking an information whether the land so bequeathed upon him is acquired by an authority or not and, if acquired, then relevant information relating to the Acquisition Case and payment of compensation is to be furnished.

While disposing of the said application, a peculiar stand is taken by the concerned authority by shirking the responsibility upon the shoulder of the petitioner to furnish the details of the land and the Land Acquisition Number. The petitioner was unaware of any acquisition proceeding and for such reason made an application for furnishing the details, if any, of such acquisition. The authority is not expected to discharge his obligation under Right to Information Act, 2005, in the fashion as has been done in the instant matter. Such an action of the respondent authority is highly reprehensible and is not expected to have been done by statutory authority. The Special Land Acquisition Officer, Purba Medinipur, is directed to furnish all information relating to the aforesaid land acquired by the petitioner without insisting upon any fresh application to be taken by the petitioner. Such information shall be furnished by the said authority within one month from the date of communication of this order.

It is hereby made clear that the time frame herein is mandatory and peremptory and should be strictly adhered by the State authority. This writ petition is, thus, disposed of.

There shall be no order as to costs.

Since the writ petition is disposed of at the motion stage, the allegation contained in the writ petition shall not be deemed to have been admitted by the respondents.

(Harish Tandon,J)